

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FAYETTEVILLE DIVISION

CARLOS BUCHANAN

PLAINTIFF

v.

Civil No. 06-5042

FAYETTEVILLE POLICE DEPARTMENT

DEFENDANTS

**MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Carlos Buchanan filed this pro se civil rights action under 42 U.S.C. § 1983 on March 13, 2006. His complaint was filed in forma pauperis (IFP). (Docs. 1-4.)

On March 31, 2006, the court received mail sent to Buchanan that was returned as undeliverable. (Docket 3/31/2006.) On April 4, 2006, the court, on its own initiative, located a new address for the plaintiff at the Arkansas Department of Correction (ADC). The returned mail was resent to the plaintiff at this new address.

On June 16, 2006, the undersigned entered an order directing Buchanan to complete, sign, and return an attached addendum to his complaint by July 14, 2006. (Doc. 5.) To date, Buchanan has not responded to the order by returning the completed and signed addendum. The court's June 16 order has not been returned as undeliverable, Buchanan has not communicated with the court, and a later address for Buchanan does not appear in the file. According to the ADC website, the address the court presently has for Buchanan is the correct address.

I therefore recommend that Buchanan's complaint be dismissed on the grounds that he has failed to prosecute this action or obey an order of this court. *See* Fed. R. Civ. P. 41(b).

**Buchanan has ten days from receipt of this report and recommendation in which to file written objections pursuant to 28 U.S.C. § 636(b)(1). The failure to file timely**

written objections may result in waiver of the right to appeal questions of fact. Buchanan is reminded that objections must be both timely and specific to trigger de novo review by the district court.

DATED this 24th day of July 2006.

**/s/ Beverly Stites Jones**

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HON. BEVERLY STITES JONES  
UNITED STATES MAGISTRATE JUDGE